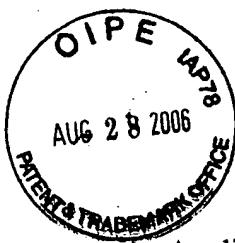


*TW AP*



Attorney's Docket No.: 08935-295001 / M-5030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Xiandong Wang et al. Art Unit : 1746  
 Serial No. : 10/716,358 Examiner : Monique Wills  
 Filed : November 17, 2003 Conf. No. : 7033  
 Title : PRIMARY ALKALINE BATTERY CONTAINING BISMUTH METAL OXIDE

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), THE GILLETTE COMPANY, a Delaware Corporation, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of:

An assignment from the inventors of the above-referenced patent application.

The assignment was recorded in the Patent and Trademark Office at Reel 014726, Frame 0819 on November 17, 2004, or a copy thereof is attached.

To the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Serial No. 10/913,922 provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Serial No. 10/913,922.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S.

08/28/2006 TBESHAH1 00000060 10716358  
 CERTIFICATE OF MAILING BY FIRST CLASS MAIL 130.00 OP  
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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 23, 2006

Date of Deposit

Signature

*Sherry L. Hunt*  
 Sherry L. Hunt  
 Typed or Printed Name of Person Signing Certificate

Applicant : Xiandong Wang et al.  
Serial No. : 10/716,358  
Filed : November 17, 2003  
Page : 2 of 2

Attorney's Docket No.: 08935-295001 / M-5030

Serial No. 10/913,922 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S.

Serial No. 10/913,922.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for \$130 for the required fee pursuant to 37 C.F.R. § 1.20(d). Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

\_\_\_\_\_  
Robert C. Nabinger  
Reg. No. 33,431

Date: August 23, 2006

Fish & Richardson P.C.  
225 Franklin Street  
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Telephone: (617) 542-5070  
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**MAIL STOP AF**

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 Alexandria, VA 22313-1450

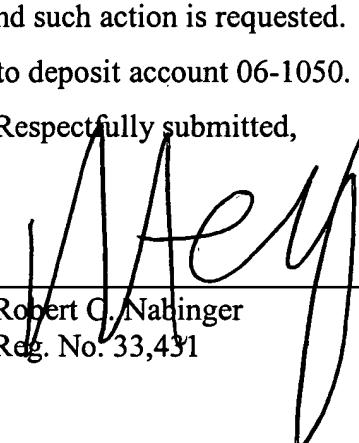
**REPLY TO ACTION OF AUGUST 9, 2006**

Applicants are responding to the office action dated August 9, 2006.

A terminal disclaimer with respect to U.S. Serial No. 10/913,922 is enclosed. Thus, the obviousness-type double-patenting rejections are moot. There are no other rejections, and as a result the claims are in condition for allowance and such action is requested.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

  
 Robert C. Nabinger  
 Reg. No. 33,431

Date: August 23, 2006

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**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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